(MR. SPEAKER.)

expeditiously. I will see that as many questions as possible are answered and disposed of. Also, we are responsible to see that questions do not lapse. But we cannot by-pass the rules. Either we have to change the rules or adhere to them.

PAPERS LAID ON THE TABLE

Bills passed by the Council.

SECRETARY.—Sir, as required by Rule 90 (*f*) of the Rules of Procedure and Conduct of Business in the Assembly I beg to lay on the Table of the House copies of the Mysore Transfer of Prisoners Bill, 1954 and the Mysore Contract (Extension to Agricultural Land) Bill, 1954 as passed by the Legislative Council, on 12th October 1954.

MYSORE HOUSING BOARD BILL, 1954.

Presentation of Joint Select Committee Report.

Sri T. CHANNIAH (Minister for Local Self-Government and Public Health) [On behalf of SRI A. G. RAMACHANDRA RAO (Chairman of the Committee)].—Sir, I beg to present the Report of the Joint Select Committee on the Mysore Housing Board Bill, 1954.

MYSORE (RELIGIOUS AND CHARITALE) INAMS ABOLITION BILL, 1954.

Presentation of Joint Select Committee Report.

Sri Kadidal MANJAPPA (Chairman of the Committee).—Sir, I beg to present the Report of the Joint Select Committee on the Mysore (Religious and Charitable) Inams Abolition Bill, 1954.

MYSORE BOARD OF REVENUE BILL, 1954.

Motion to consider.

Mr. SPEAKER.—The debate on the Mysore Revenue Board Bill will continue.

Sri J. MOHAMED IMAM (Jagalur).—Sir, I would like to offer a few remarks on the Board of Revenue Bill. Those who know the Revenue Minister best are the first to sympathise with him on the unnecessary trouble he brings upon himself by introducing in this House unnecessary, uncalled for and untimely pieces of legislation.

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—Sir, I do not understand the Hon'ble Member. (*Laughter*)

Sri J. MOHAMED IMAM.—After the advent of democracy, it has become the practice, if not the fashion, to bring before this House during every session a series of legislative measures which merely load our statute books and land lawyers in utter confusion. If you compare the present legislative measures with those in the past—I must also say that I was associated with the Administration—if you compare the number of legislative measures with . . .

Sri Kadidal MANJAPPA.—I was also a member at that time.

Sri J. MOHAMED IMAM.—If you compare the number of legislative measures introduced now with those before, you will find that the number has gone up by leaps and bounds. (*A Voice*: Progress.) Progress? Yes, progress; we know how far we have progressed. Are these measures necessary and inevitable? I know from experience, and perhaps many of my colleagues will argue too, that many legislative measures that have been passed are practically inoperative and ineffective and are not working. Now to remember particularly one legislative measure which my friend Sri T. Mariappa introduced before this House. He introduced before this House a piece of legislation advocating the castration of scrub bulls.

Sri T. MARIAPPA (Mysore City—North).—I may tell for the information of my Hon'ble friend that that

measure is in full operation. 40,000 bulls have been already castrated. (*Laughter.*)

Sri J. MOHAMED IMAM.—I can quote many measures which are quite unnecessary and unnecessarily take the valuable time.....

A MEMBER. There is the Cultivation of Fallow Lands Act.

Sri J. MOHAMED IMAM.—Yes.

Mr. SPEAKER.—The Hon'ble Member may be allowed to procced.

Sri J. MOHAMED IMAM.—Some healthy interruptions are necessary. Before introducing legislation, the Minister in charge of the Government must study all aspects. They must bring legislative measures before the House only when they are convinced that they are inevitable and that unless they are introduced it would be detrimental to the good of the people. It should be either in conformity with the democratic spirit or it must be such a measure which will be an improvement over the existing practice or it must be in pursuance of the public demand or it must be a measure which will benefit or bring relief to the people. When the Government feels that such legislative measure is inevitable for the good of the country, only then they must bring legislation and introduce it before the House. You must know that every legislative measure involves financial commitment. It takes away valuable portion of the time of the House. It is with this background that I would like to examine the present Bill.

Sir, after a good deal of consideration the Revenue Minister has brought in this Bill proposing to constitute a Revenue Board and the reason he has given, and the only important reason he has adduced, is that the poor Minister should be relieved of his burden; he wants that the Government should be relieved of this burden as the Minister is incapable of handling this work. The work according to him is of great magnitude.

Sri Kadidal MANJAPPA.—I never said that I am incapable of handling. I have disposed of nearly 1,500 cases and there are about 475 now pending. That is not great. It is not a great matter to dispose of all these cases.

Sri J. MOHAMED IMAM.—The Minister is quite capable of handling all these cases and I congratulate him. But the reason he gave was this, that he wanted to be relieved of the burden or at least that the burden should be lessened.

Mr. SPEAKER.—That reason is not given in the Statement of Objects and Reasons.

Sri Kadidal MANJAPPA.—So that I may attend to other important matters.

Sri J. MOHAMED IMAM.—This reason he gave when he introduced the Bill and it is unnecessary that it should be mentioned in the Statement of Objects and Reasons. He has not mentioned any other reason there as to why the measure should be approved by this House. This reason we cannot accept. If the Minister has said that in accordance with the principle of democracy the popular and responsible ministers should be divested of their executive powers, and that it is with that object the Bill has been introduced, if he has advanced that reason, then I would have been the first to congratulate him.

Sri Kadidal MANJAPPA.—I advanced; perhaps the member was not attentive.

Sri J. MOHAMED IMAM.—I would have been the first to accept the principle. But as it is, apart from creating a Board, we find that the Government have not made any attempt to divest themselves of their existing powers. It is quite against the principles of democracy.

Mr. SPEAKER.— This is one instance of divesting powers of appeal.

Sri J. MOHAMED IMAM.—I beg to submit that according to this measure they have not divested themselves of this power, because the main ultimate authority is still the Government. It is centralising. I am coming to that. It is a practice in all democratic countries that the responsible minister or the popular minister will do his utmost to get himself rid of all executive power and also judicial

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power or quasi-judicial powers. But here we find that the popular ministers not only act as Ministers but also play the role of judicial officers, play the role of civil servants, I.A.S. officers and every possible executive action and authority is centralised in them. This is indirectly against the spirit of democracy. This attempt has not been abolished in spite of repeated requests pointing out that the ministers are meant only to lay down policies and rules, and that regarding the actual execution of the administration, it must be left to the lower ranks, to the I.A.S. officers. No attempt has been made in this direction. And much less with respect to the entertainment of revenue appeals and petitions by the Government, which is highly detrimental. I may just point out one relevant clause in the Government of India Act of 1935 wherein that principle has been clearly laid down.

Sri Kadidal MANJAPPA.—That is not in force now.

Sri J. MOHAMED IMAM.—Does not matter, but the principle is enunciated there, which lays down that revenue appeals should not be disposed of by tribunals composed of members of the Legislature. Somehow I caught hold of that and I am going to read it.

> "Section 296.—No member of the Federal or Provincial Legislature shall be a member of any tribunal in British India....."

At that time Mysore had its own law.

> "...having jurisdiction to entertain appeals or revise decisions in revenue cases."

This is laid down in the Government of India Act of 1935. In the 1935 Act, it has been laid down unequivocally that Members of the Legislatures should not deal with revenue appeals. That is the principle laid down :

> "No member of the Federal or Provincial Legislature shall be a member of any Tribunal in British India having jurisdiction to entertain appeals or revise decisions in revenue cases."

That is why the Revenue Boards were formed. This Government of India Act of 1935 may not be operative now, but the principle must be admitted. They thought it was not wise to entertain revisions and appeals in revenue cases by persons who are members of a provincial legislature or the Central legislature. Now that we are in a full democratic set up, it is in the interest of the State and in the interest of the people to adopt this principle. Taking human nature as it is—Ministers are human beings, they are subject to human weaknesses. They owe their position and presence here to the people and the electorate. They have got to satisfy many people. Being surrounded by all such adverse circumstances, it is but right and it is in pursuance of justice that they should divest themselves of this power and hereafter I hope they will have nothing to do with revenue appeals and other appeals. This is all the more necessary when the Government is based on party principle. You have to face elections. Many a time a person with the best of intentions will find it very difficult to do justice. I will give one example. I am under the obligation of the electorate. There are many leading persons to whom you will be obliged in particular localities. Suppose I am under a debt of certain influential person and he comes before me and says, 'I am in difficulties; can you help me?' If such a situation arises, the Minister, whoever it may be, will certainly be swayed and he will be in an awkward position. Either he must lose his confidence and the confidence of the electorate or he must go against his conscience. That is why the principle has been laid down in that way.

Sri Kadidal MANJAPPA.—That applies to all other activities of the Ministers.

Sri J. MOHAMED IMAM.—That is why you should lay down policies and leave it to be carried on by the executive officers. I leave this matter at that. There will be very difficult cases and even if the slightest injustice is done, the whole future is gone. I do not impute motives to the Minister

but such a contingency is bound to arise in a democratic set up and as a safeguard against it, it is quite necessary and it is inevitable that the persons who will come as elected representatives of the people must divest themselves of their executive power at least in order to be above suspicion. And Cæsar's wife must be above suspicion! The Bill does not satisfy that principle. What is it that they provide in this Bill? They have constituted a Board consisting of the nominees of the Government who themselves are heads of various departments and they are interested in their departments. It is said that they can hear appeals and exercise revisional powers. But under clause 6 provision has been made for empowering any aggrieved party to go in revision to Government. Take it from me, this measure will not mitigate the trouble that is already surrounding the Hon'ble Minister. This will not minimise revision petitions. Every matter will be brought up to the Minister and again the Minister will be faced with the same volume of work and again he finds himself in a quandry and in an awkward position. So, Sir, it would have been in accordance with democracy and it would have been perfectly right if the decisions of the Revenue Board, after it is constituted, were treated as absolutely final and Government had nothing to do with the decisions of the Revenue Board. The power of appeal should lie not to the Government but to some other body; Government should divest themselves and this is the occasion for you to help democracy.

I may take the question of the constitution of the Board, Sir. It is said the Board will be composed of the Revenue Commissioner, the Excise Commissioner and other Heads of Departments who will be there as nominees of the Government. I can state, Sir, when they become members of the Board, they will not be entirely disinterested persons, because each will be thinking of his own department and his departmental activities. So, if these persons who are subordinate to the Government and who are responsible for the management and adminstration of their own departments, are the persons who should constitute the Board, I am afraid that such a Board will not command much respect. I would like to know, Sir, because I want that information from the Minister, if such a composition of a Revenue Board exists in any other State.

Sri Kadidal MANJAPPA.—It is in Madras.

Sri J. MOHAMED IMAM.—In Madras, I think there is no Revenue Commissioner. I want to know if there is a Revenue Board composed of officers similarly situated. In Madras the Board is composed of highly placed officers and they have got unlimited powers. But here to make the Board consist of Heads of Departments I think will not be in the best interests of the State. They are responsible to the Government and we cannot take it for granted that it will be an independent body.

Apart from this objection, Sir, I want to know how this is an improvement over the existing practice, and where was the need to think of a change at this stage. Were there any representations made to the Government that the present arrangement is not functioning properly? Was there any demand from the public complaining about any inordinate delay or gross injustice having been done at the present time? So far as I know, Sir, I have not heard much complaint either about the delay or unfair and unsatisfactory disposal.

Another significant factor, Sir, is this. Madras and Bombay are having these Revenue Boards from a very long time. The administration of Mysore during all this time did not think it necessary to have a Revenue Board here. The administration of the State of Mysore has been going on for the last one century during which it has built up a high reputation. Its efficiency was not questioned. The reason why a Revenue Board was not thought of earlier was probably because Mysore is limited in area. May be that those States were very big in size—probably thrice as big and perhaps they thought it

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advantageous to have a Revenue Board. But Mysore is a compact State.

SRI V. VENKATAPPA (Channapatna).—You were enunciating some principle previously; does it not hold good now?

SRI J. MAHOMED IMAM.—I am now saying a different point.

They perhaps thought that Revenue Board was quite unnecessary in a State like Mysore. If you want to adopt the system that is obtaining elsewhere at this stage, you may constitute the Board in such a way as to command the confidence of all sections of the population. I would suggest that instead of having Heads of Departments who are intensely and directly interested in the working of their own department, I would suggest you to have independent persons including retired High Court Judges, including highly placed officers who have retired, who will form a tribunal. You are having labour tribunals, industrial tribunals. You are not having the head of the Labour Department on those tribunals. It is quite an independent body and people have confidence in such tr bunals—both employers and employees, because it will do justice, because it will not view things from a prejudiced point of view. Similarly here the Revenue Board must be independent of the influence of the Government and the personnel constituting it must be of such a high standing that you should give them sufficient powers and their decision must be final. But in case you feel that some provision is necessary to entertain appeals against their orders, then the appeal should lie not to the Government but to the High Court. I have not examined this aspect very carefully, but it seems to be the wise course. Members of the Revenue Board must be of a sufficiently high standing, they must be independent persons, they must not be subject to influences from the Government and their judgments and decisions must be final. If necessary, it must be challenged only in a court of law because all matters that come up there are only of a judicial nature involving high points of law and if the body which can hear revision petitions is to be constituted by Judges of the High Court, then I think you will be providing an excellent machinery to do justice to the people.

I may also suggest, if you are taking my suggestions, the present powers of the Revenue Commissioner may be retained, and an appeal might le to the Board against his orders. The appeal or revision must be provided not to the Government but to the High Court.

Sir, there are other matters and my Hon'ble friends have dealt exhaustively with them. My opinion is this: if the present Bill is passed in the form in which it is now drafted, it will not result in any good. It will create more complications. I am not convinced that there will be speedy disposal of cases and speedy dispensation of justice and that it is in any way an improvement over the existing practice. I would even prefer the present arrangement to continue for some time and Meantime the necessity for a Bill of this nature may be considered at greater length. If the same appeal is to be filed before the Revenue Board, it requires elaborate procedure and formality to be observed. All this will take much time. I do not know how it will help the speedy disposal of the cases and thereby ensure justice. Therefore, I suggested that the present practice may continue but the appeal from the Head of the Departments can go before the Tribunal who will be a final authority and against their decision a revision or appeal must be provided to a court of law. Sir, I know the good intention of the Revenue Minister. But I request him to study the pros and cons and instead of pushing through the Bill, instead of being hasty, let him collect public opinion, study the practice prevailing in other States and then bring this. Let him bring in a fresh Bill which will ensure speedy and adequate justice for all the people.

MR. SPEAKER.—If the Bill is referred to a Select Committee, the purpose would be served.

SRI J. MOHAMED IMAM.—Agreeing to refer to the Select Committee means,

Sir, we will be committing ourselves. Before sending to the Select Committee, I would ask the Government to study how this is working in the neighbouring provinces, examine the conditions existing in our State and then bring it at the next session.

ಶ್ರೀ ಎಚ್. ಕೆ. ವೀರಣ್ಣಗೌಡ (ಮದ್ದೂರು).— ಸ್ವಾಮಿ, ಈ ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಿರುವ ರೆವೆನ್ಯೂ ಬೋರ್ಡ್ ಮಸೂದೆಯ ವಿಚಾರದಲ್ಲಿ ನಮ್ಮ ಮಾನ್ಯ ಸ್ನೇಹಿತರನೇಕರು ವಿರೋಧವಾಗಿ ಟೀಕೆ ಮಾಡಿದ್ದಾರೆ. ಈ ರೆವೆನ್ಯೂ ಬೋರ್ಡು ಮೈಸೂರು ಸಂಸ್ಥಾನಕ್ಕೆ ಅಗತ್ಯವೆ ಎಂಬ ವಿಚಾರದಲ್ಲಿ ನನ್ನ ಅಭಿಪ್ರಾಯವನ್ನು ಸೂಚಿಸುತ್ತೇನೆ. ಇದುವರೆಗೆ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ರೆವೆನ್ಯೂ ಬೋರ್ಡ್ ಇರಲಿಲ್ಲ, ಬೇರೆ ಸಂಸ್ಥಾನಗಳಲ್ಲಿತ್ತು. ಇದಕ್ಕೆ ಕಾರಣವನ್ನು ಸಹ ಕೆಲವರು ಸ್ಪಷ್ಟಪಡಿಸಿದ್ದಾರೆ. ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ರೆವೆನ್ಯೂ ಕಮಿಷನರಿದ್ದಾರೆ, ಮದ್ರಾಸು ಮುಂತಾದ ಕಡೆಗಳಲ್ಲಿ ಆ ಹುದ್ದೆಯಿಲ್ಲ. ಆದ್ದರಿಂದ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಅಧಿಕಾರಿಗಳು ಮಾಡಿದ ತೀರ್ಮಾನಗಳ ಮೇಲೆ ಅಪೀಲು ಹೋಗಬೇಕಾದರೆ ಸರ್ಕಾರದ ಒಂದು ಟ್ರಿಬ್ಯೂನಲ್ ಅಥವಾ ಬೋರ್ಡು ಇರುವುದು ಅಗತ್ಯವೆಂದು ರೆವೆನ್ಯೂ ಕಮಿಷನರಿಲ್ಲದಿರುವ ಕಡೆ ರೆವೆನ್ಯೂ ಬೋರ್ಡು ಮಾಡಿದರು. ಹಾಗೆ ಮಾಡುವಾಗ ರೆವೆನ್ಯೂ ಬೋರ್ಡಿನ ಸದಸ್ಯರಿಗೆ ಬೇರೆ ಕೆಲಸವಿಲ್ಲದೆ ಅವರು ಕಡ್ಡಾಯವಾಗಿ ವಾರಕ್ಕೆ ಎರಡು ಸಾರಿಯಾದರೂ ಕೂಡಾ ಬೋರ್ಡಿನ ಕೆಲಸಮಾಡಬೇಕೆಂದು ಕಡ್ಡಾಯಮಾಡಿದ್ದರು. ನಮ್ಮ ದೇಶದಲ್ಲೂ ಈ ಅಗತ್ಯವಿದೆಯೆ ಎಂದರೆ ಈಚೆಗೆ ರೆವೆನ್ಯೂ ಕಮಿಷನರಿದ್ದರೂ ಸಹ ಪ್ರಜಾಪ್ರಭುತ್ವ ಬಂದುದರಿಂದ ಮತ್ತು ಆಡಳಿತ ಪದ್ಧತಿಯಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗಿರುವುದರಿಂದ ರೆವೆನ್ಯೂ ಬೋರ್ಡು ಅಗತ್ಯ ಎಂದು ನನಗೆ ಕಂಡುಬರುತ್ತದೆ. ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ನಾನು ಶ್ರೀ ಇಮಾಂರವರ ಅಭಿಪ್ರಾಯವನ್ನು ಟೀಕಿಸಿ ವಿರೋಧಮಾಡುತ್ತಿದ್ದೆ. ಈ ಒಂದು ಸಂದರ್ಭದಲ್ಲಿ ಅವರು ಹೇಳುವುದನ್ನು ಅನುಮೋದಿಸುತ್ತೇನೆಂದು ಹೇಳುವುದಕ್ಕೆ ನಾನು ಸಂಕೋಚಪಡುವುದಿಲ್ಲ. ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಆಡಳಿತ ನಿರ್ವಹಣೆ ಮಾಡುವವರು ಬಹಳ ಭಿನ್ನಾಭಿಪ್ರಾಯದ ಪ್ರಸಂಗಗಳಿಗೆ ಒಳಗಾಗುತ್ತಾರೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಇತ್ತೀಚಿನ ಉದಾಹರಣೆಯೊಂದು ನನಗೆ ಜ್ಞಾಪಕಕ್ಕೆ ಬರುತ್ತಿದೆ. ಒಂದು ತಾಲ್ಲೂಕಿನ ಅಮಲ್ದಾರರು ಒಂದು ಜಮೀನಿನ ಬಗ್ಗೆ ಒಂದು ಆರ್ಡರು ಮಾಡಿದರು. ಸಬ್‌ಡಿವಿಜನ್ ಆಫೀಸರು ಅದನ್ನು ಎತ್ತಿ ಹಿಡಿದರು. ಅನಂತರ ಡೆಪ್ಯುಟಿಕಮಿಷನರೂ ಹಾಗೆಯೇ ಮಾಡಿದರು. ರೆವೆನ್ಯೂ ಕಮಿಷನರೂ ಸಹ ಕೆಳಗಿನ ರೆವೆನ್ಯೂ ಅಧಿಕಾರಿಗಳು ಮಾಡಿರುವುದನ್ನು ಎತ್ತಿಹಿಡಿದು 'ಅಪೀಲುದಾರನು ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳನ್ನೂ ಧಿಕ್ಕಾರಮಾಡುತ್ತಿದ್ದಾನೆ, ಇವನನ್ನು ಏಕೆ ಪ್ರಾಸಿಕ್ಯೂಟ್ ಮಾಡಬಾರದು' ಎಂದು ಜಡ್ಜ್‌ಮೆಂಟ್ ಕೊಟ್ಟರು. ಹೀಗೆ ಅಪೀಲು ಮೇಲೆ ಅಪೀಲು ಹೋದರೂ ಸಹ ರೆವೆನ್ಯೂ ಅಧಿಕಾರಿಗಳು ತಮ್ಮ ಇಲಾಖೆಯವರು ಮಾಡಿದ್ದಕ್ಕೆ ಬೆಲೆ ಕೊಟ್ಟು ಅದನ್ನೇ ಎತ್ತಿಹಿಡಿದಿದ್ದಾರೆ. ಅದೇ ಕೇಸಿನಲ್ಲಿ ಇರಿಗೇಷನ್ ಇಲಾಖೆ ಅಸಿಸ್ಟೆಂಟ್ ಇಂಜಿನಿಯರೂ ಎಗ್ಸಿಕ್ಯುಟಿವ್ ಇಂಜಿನಿಯರೂ ರೆವೆನ್ಯೂ ಅಧಿಕಾರಿಗಳ ತೀರ್ಮಾನವನ್ನೇ ಒಪ್ಪಿದ್ದಾರೆ. ಹೀಗಿದ್ದರೂ ಸಹ ಆ ವ್ಯಕ್ತಿ ಸರ್ಕಾರಕ್ಕೆ ಅಪೀಲು ಮಾಡಿದರು. ಸರ್ಕಾರದವರು ಸ್ವೋ ಆರ್ಡರು ಕೊಟ್ಟರು. ಅದಕ್ಕೆ ಕಾರಣ ರೆವೆನ್ಯೂ ಇಲಾಖೆಯವರೂ ಇರಿಗೇಷನ್ ಇಲಾಖೆಯವರೂ ಇಬ್ಬರೂ ಜಾಯಿಂಟ್ ಇನ್‌ಸ್ಪೆಕ್ಷನ್ ಮಾಡಬೇಕೆಂಬುದು. ಮೊದಲೇ ಎರಡು ಇಲಾಖೆಯವರ ಅಭಿಪ್ರಾಯ ಸ್ಪಷ್ಟವಾಗಿದ್ದರೂ ಪುನಃ ಅದೇ ಅಭಿಪ್ರಾಯವನ್ನು ಕೋರಿ ಸ್ವೋ ಆರ್ಡರು ಮಾಡಿರುವುದು ಸಹಜೀದಾತ್ಪರ್ಯವಾಗಿದೆ. ಇದೇಕೆ ಹೀಗೆ ಮಾಡಿದಿರಿ ಎಂದು ಕೇಳಿದರೆ ಸ್ವೋ ಆರ್ಡರು ತಾನೆ, ಫೈನಲ್ ಆರ್ಡರಲ್ಲವಲ್ಲ ಎಂದು ಹೇಳಬಹುದು. ಮೇಲೆ ಮೇಲೆ ನೋಡಿದವರಿಗೆ ಇದರಿಂದ ಸರ್ಕಾರದವರು ಜನಗಳಿಗೆ ನ್ಯಾಯ ದೊರಕಿಸುವಂತೆ ಕಾಣುತ್ತದೆ. ಆದರೆ ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಕ್ಷಿಗಾರರು ಮನೆಕೆಲಸ ಬಿಟ್ಟು ತಿರುಗಬೇಕು, ಲಾಯರುಗಳಿಗೆ ಹಣ ತೆರಬೇಕು. ಏಕೆಂದರೆ ಸ್ವೋ ಆರ್ಡರಾದರೆ ಅಫೀಲು ಹಿಡಿದು ವಿಚಾರಣೆಮಾಡಬೇಕಾಗುತ್ತದೆ. ಇದೊಂದು ಉದಾಹರಣೆ. ಇನ್ನೂ ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ದಾಕ್ಷಿಣ್ಯಕ್ಕೊಳಗಾಗಿ ನ್ಯಾಯಕ್ಕೆ ವಿರೋಧವಾಗಿ ತೀರ್ಮಾನವಾಗಿರುವುದೂ ಉಂಟು. ಏಕೆ ಇದನ್ನು ಹೇಳಿದೆನೆಂದರೆ, ಈ ದಿವಸ ಪ್ರಜಾಪ್ರಭುತ್ವ ಬಂದಿರುತ್ತದೆ, ಪ್ರಜೆಗಳಿಂದ ಚುನಾಯಿತರಾಗಿ ಬಂದಿರುವವರು ದೊಡ್ಡ ಸ್ಥಾನದಲ್ಲಿರುತ್ತಾರೆ. ಅವರು ನಿಷ್ಪೂರಕ್ಕೆ ದಾಕ್ಷಿಣ್ಯಕ್ಕೆ ಒಳಗಾಗದೆ, ಅನ್ಯಾಯ ಎಂದು ಹೇಳುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡದೆ ಇರಬೇಕಾದರೆ ಸರ್ಕಾರದಿಂದ ಸ್ವತಂತ್ರವಾಗಿರುವ ಇಂಥ ಬಂದು ಬೋರ್ಡಿರಬೇಕಾದದ್ದು ಅಗತ್ಯ.

ಈ ಬೋರ್ಡು ಹೇಗಿರಬೇಕು ಎಂಬುದನ್ನು ಅನೇಕ ಮಾನ್ಯ ಸ್ನೇಹಿತರು ಹೇಳಿರುವುದರಿಂದ ನಾನು ಅದನ್ನು ಪುನಃ ಹೇಳಬೇಕಾಗಿಲ್ಲ. ಶ್ರೀ ಚನ್ನಬಸಪ್ಪನವರು ಹೇಳಿದ ಹಾಗೆ ಈ ಮಸೂದೆಯಂತೆ ಈ ಬೋರ್ಡಿನಲ್ಲಿ ಸರ್ಕಾರದ ಮುಖ್ಯಾಧಿಕಾರಿಗಳು ಎಲ್ಲಾ ಸೇರಿ ನಾಲ್ಕೈದು ಜನ ಅಥವಾ ಏಳೆಂಟು ಜನ ಇರಬಹುದು. ಅವರೆಲ್ಲಾ ಒಂದು ಕಡೆ ಒಟ್ಟಾಗಿ ಸೇರಬೇಕಾದರೆ ಬಹಳ ನಿಧಾನವಾಗುತ್ತದೆ. ಏಕೆಂದರೆ ಈ ಅಧಿಕಾರಿಗಳಿಗೆ ಬೇರೆ ಬೇರೆ ಕೆಲಸವಿರುತ್ತದೆ. ನಾನು ಹಿಂದೆ ಒಂದು ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷನಾಗಿದ್ದೆ. ಆ ಸಮಿತಿಯಲ್ಲಿ ನಾಲ್ಕಾರು ಜನ ಖಾನಗಿ ಸದಸ್ಯರು ಮತ್ತು ನಾಲ್ಕಾರು ಜನ ಇಲಾಖಾ ಮುಖ್ಯಾಧಿಕಾರಿಗಳು ಇದ್ದರು; ಅನೇಕ ಮೀಟಿಂಗುಗಳಿಗೆ ಇಲಾಖಾ ಮುಖ್ಯಾಧಿಕಾರಿಗಳು ಬರುತ್ತಲೇ ಇರಲಿಲ್ಲ. ಆದ್ದರಿಂದ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ವಿಷಯವನ್ನು ಮುಂದುವರಿಸಬೇಕಾಗುತ್ತಿತ್ತು. ಅಧಿಕಾರಿಗಳಿಗೆ ಬೇರೆ ಬೇರೆ ಕೆಲಸವಿರುತ್ತಿದ್ದುದರಿಂದ 'ಯಾವತ್ತು ನಿಮಗೆ ಅನುಕೂಲ, ಮೀಟಿಂಗಿಗೆ ಬರಲು ಎಂದು ಅವಕಾಶವಿದೆ' ಎಂದು ಅಧಿಕಾರಿಗಳನ್ನು ಕೇಳಬೇಕಾಗುತ್ತಿತ್ತು. ಒಬ್ಬರಿಗೆ ಅನುಕೂಲವಾದ ದಿನ ಇನ್ನೊಬ್ಬ ಅಧಿಕಾರಿಗೆ ಅನುಕೂಲವಾಗಿರುತ್ತಿರಲಿಲ್ಲ. ಹೀಗಾಗಿ ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳೂ ಪ್ರತಿ ಮೀಟಿಂಗಿಗೂ ಬರಲು ಸಾಧ್ಯವಾಗುತ್ತಿರಲಿಲ್ಲ. ಆದರೆ ಕೋರಂ ಇಷ್ಟೇ ಇರಬೇಕೆಂಬ ನಿರ್ಬಂಧ ವಿಲ್ಲದಿದ್ದುದರಿಂದ ಮತ್ತು ಖಾನಗೀ ಸದಸ್ಯರು ಬರುತ್ತಿದ್ದುದರಿಂದ ಮೀಟಿಂಗ್ ನಡೆಯುತ್ತಿತ್ತು. ಸಂಸ್ಥಾನದ ಮುಖ್ಯಾಧಿಕಾರಿಗಳು ಬಾರದೇ ಹೋದರೂ ಮೀಟಿಂಗ್ ನಡೆಯುವುದು ನಿಲ್ಲಲಿಲ್ಲ. ಒಂದೆರಡು ಸಲ ಮಾತ್ರ ವಿಷಯವನ್ನು ನಾನು ಮೊದಲೇ ಹೇಳಿದಂತೆ ಪೋಸ್ಟ್‌ಪೋನ್ ಮಾಡಬೇಕಾಯಿತು. ಒಂದು ವಿಷಯದಲ್ಲಿ ಹೆಲ್ತ್ ಇಲಾಖೆ ಡೈರೆಕ್ಟರ ಅಭಿಪ್ರಾಯ ತಿಳಿದುಕೊಳ್ಳಬೇಕಾಗಿತ್ತು. ಅವರು ಮೀಟಿಂಗಿಗೆ ಬಾರದೆ ಒಂದೆರಡು ವೇಳೆ ಮೀಟಿಂಗ್ ಮುಂದುವರಿಸಬೇಕಾಯಿತು. ಅಧಿಕಾರಿಗಳು ಸೇರಿ ಮೀಟಿಂಗ್ ಮಾಡುವುದು ಹಳ್ಳಿಯ ಜನರು ಹೇಳುವ

(ಶ್ರೀ ಎಚ್. ಕೆ. ವೀರಣ್ಣಗೌಡ.)

ಹಾಗೆ "ಕಷ್ಟ ತಕ್ಕಡಿಗೆ ಹಾಕಿದ ಹಾಗೆ". ಇದರಿಂದ ಕೆಲಸ ನಿಧಾನವಾಗಲು ಕಾರಣವಾಗುತ್ತದೆ. ಒಬ್ಬರು ಅಧಿಕಾರಿ ಒಂದು ದಿವಸ ಊರಿನಲ್ಲಿರಬಹುದು, ಇನ್ನೊಂದು ದಿವಸ ಇಲ್ಲದಿರಬಹುದು. ಅಂತೂ ಮೂರು ನಾಲ್ಕು ಜನ ಅಧಿಕಾರಿಗಳು ಸೇರಿ ಒಂದೇ ದಿವಸ ಕೆಲಸಮಾಡುವುದು ಕಷ್ಟ.

ಇನ್ನೊಂದು ವಿಚಾರ ಸಭೆಯ ಗಮನಕ್ಕೆ ತರಬೇಕಾದುದೇನೆಂದರೆ, ನಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿ ವಿಶೇಷಯುಕ್ತ ಮೋಸ್ಟ್ ಅಫೀಸರು ರೆವೆನ್ಯೂ ಕಮೀಷನರು. ಆದ್ದರಿಂದ ಅಧಿಕಾರಿಗಳು ಬೋರ್ಡಿನಲ್ಲಿದ್ದರೆ, ಅವರು ರೆವೆನ್ಯೂ ಕಮೀಷನರ ತೀರ್ಮಾನದಮೇಲೆ ಬೋರ್ಡಿಗೆ ಅಪೀಲು ಬಂದರೆ, ಆ ವಿಚಾರದಲ್ಲಿ ಹಿಂದು ಮುಂದು ನೋಡ ಬೇಕಾಗುತ್ತದೆ. ಈ ವಿಷಯವನ್ನು ಶ್ರೀ ಚೆನ್ನಬಸಪ್ಪನವರು ಸ್ವಾರಸ್ಯವಾಗಿ ಹೇಳಿದ್ದಾರೆ. ಅಪೀಲು ಕೇಳದೆ ಹೋದರೆ ಚೆನ್ನಾಗಿರುವುದಿಲ್ಲ. ಕಿರಿಯ ಅಧಿಕಾರಿಗಳ ಆಜ್ಞೆಗೆ ವಿರೋಧವಾಗಿ ತೀರ್ಮಾನ ಕೊಡುವುದು ಸರಿಯಾಗಿರುವುದಿಲ್ಲ. ಸಾಮಾನ್ಯವಾಗಿ ಅಧಿಕಾರಿಗಳ ಮನೋಧರ್ಮ ನಹ ಒಬ್ಬರು ಮತ್ತೊಬ್ಬರೊಡನೆ ಸಹಕರಿಸಬೇಕೆಂದಿರುತ್ತದೆ. ಅಲ್ಲದೆ ನಾನು ಮಾಡಿದ ತೀರ್ಮಾನವನ್ನು ನಾನೇ ಬೇರೆ ಸ್ಥಾನದಲ್ಲಿ ಕುಳಿತು ಪರಿಶೀಲಿಸಬೇಕೆಂದರೆ ಬಹಳ ಇಕ್ಕಟ್ಟಿನ ಪ್ರಸಂಗ. ನಾನು ಮಾಡಿದ ತೀರ್ಮಾನವನ್ನು ನಾನೇ ಜಡ್ಜಿಯಾಗಿ ಪರಿಶೀಲಿಸಿದರೆ ಎಷ್ಟುಮಟ್ಟಿಗೆ ಸರಿಯಾದ ತೀರ್ಮಾನ ಬರುತ್ತದೆಂಬುದನ್ನು ಮಾನ್ಯ ಮಿತ್ರರು ಆಗಲೇ ಹೇಳಿದ್ದಾರೆ. ಇಂಥ ಅವಕಾಶವಿರಬಾರದು; ಮತ್ತು ಯಾವ ರೀತಿ, ತಿಂಗಳಿಗೊಂದು ಸಲವೇ, ಅಥವಾ ವಾರಕ್ಕೊಂದು ಸಲವೇ, ಎಷ್ಟು ಸಲ ಸೇರಬೇಕು, ಎಲ್ಲ ಆಫೀಸು ಎಂಬುದನ್ನು ಈ ಮಸೂದೆಯಲ್ಲಿ ಎಲ್ಲೂ ಸೂಚಿಸಿಲ್ಲ. ಇದನ್ನು ರೂಲ್ಸಿನಲ್ಲಿ ಸೇರಿಸುತ್ತೇವೆಂದು ಹೇಳಬಹುದು. ಅದು ಸರಿಯಲ್ಲ. ಈ ಬೋರ್ಡಿನಿಂದ ಸರ್ಕಾರಕ್ಕೆ ಹೆಚ್ಚಿಗೆ ಖರ್ಚಿಲ್ಲವೆಂದು ಹೇಳಿದೆ. ಇದಕ್ಕಾಗಿ ಒಂದು ಆಫೀಸು, ತಕ್ಕ ಸಿಬ್ಬಂದಿ ಇದೆಲ್ಲಾ ಇಲ್ಲದಿದ್ದರೆ ಈ ಕೆಲಸ ಹೇಗೆ ನಡೆಯುತ್ತದೆ? ಅಪೀಲು ಮಾಡಿದ್ದಕ್ಕೆ ದಾಖಲೆ ಮಾಡುವವರು ಯಾರು? 5 ರೂಪಾಯಿಗಳ ಸ್ಟಾಂಪು ಅಪೀಲಿಗೆ ಹಾಕಬೇಕೆಂದರೆ ಜನರಿಗೆ ತೊಂದರೆ. 2-3 ರೂಪಾಯಿಗಳದು ಸಾಕು ಎಂದು ಹೇಳಿದರು, ನಿಜ. ಆದರೆ, ಅದಕ್ಕಿಂತ ಹೆಚ್ಚಾಗಿ ಲಾಯರುಗಳಿಗೆ ಕೊಡಬೇಕು, ಅಡಜರ್ನ್‌ಮೆಂಟ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕು, ಅಪೀಲು ಹೀರಂಗಿನ ದಿವಸ ತೀರ್ಮಾನವಾಗುತ್ತದೆಂಬ ಭರವಸೆಯಿರುವುದಿಲ್ಲ, ಇದು ಜನರಿಗೆ ಬಹಳ ಕಷ್ಟ. ಇಂಥ ದಿವಸ ಖಚಿತವಾಗಿ ತೀರ್ಮಾನಮಾಡಲ್ಪಡುತ್ತದೆಂದು ಗೊತ್ತಾದರೆ ಬಳ್ಳೆಯದು, ಇಲ್ಲದಿದ್ದಲ್ಲಿ ವ್ಯರ್ಥಾ ಖರ್ಚುಮಾಡಿಕೊಂಡು ಕೆಲಸ ಕಾರ್ಯ ಬಿಟ್ಟು ತಿರುಗಬೇಕಾಗುತ್ತದೆ. ಈ ರೀತಿ ಯಾವ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿದರೂ ಸಹ ಈ ಮಸೂದೆ ಸರಿಯಾಗಿಲ್ಲ. ನನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಒಂದು ಬೋರ್ಡು ಅಥವಾ ಟ್ರಿಬ್ಯೂನಲ್ ಇರಬೇಕಾದದ್ದು ಅವಶ್ಯಕ, ಏಕೆಂದರೆ ಅಧಿಕಾರಿಗಳು ಮಾಡಿದ ತೀರ್ಮಾನದ ಮೇಲೆ ಅಪೀಲು ಹೋದರೆ ಸರ್ಕಾರ ಪಕ್ಷಪಾತ ವಿಲ್ಲದೆ ನ್ಯಾಯ ನೀಡುತ್ತದೆಂಬ ಭರವಸೆ ಇತ್ತೀಚೆಗೆ ನಡೆಲವಾಗುತ್ತಿದೆ; ಪ್ರಜೆಗಳಿಂದ ಚುನಾಯಿತರಾಗಿ ಬಂದವರು ಸಾಧಾರಣವಾಗಿ ದಾಕ್ಷಿಣ್ಯಕ್ಕೆ ಒಳಪಡ ಬೇಕಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಮಂತ್ರಿಗಳು ಈ ರೀತಿ ಯಲ್ಲಿ ನಿಷ್ಠೂರಕ್ಕೊಳಗಾಗುವುದಕ್ಕೆ ಅವಕಾಶವಿರುವ ದನ್ನು ತಪ್ಪಿಸಬೇಕು. ಮಂತ್ರಿಗಳು ಅವರಿವರ ಮಾತು ಕೇಳಿ ನಡೆದುಕೊಳ್ಳುತ್ತಾರೆಂಬ ಭಾವನೆ ಹೆಚ್ಚಾಗು ತ್ತಿದೆ. ಸದಸ್ಯರು ಇಫ್ಲೂಯೆನ್ಸ್ ಮಾಡಿದ್ದರಿಂದ ಮಾಡಬೇಕಾಯಿತು ಎಂದು ಹಿಂದೆ ಇಬ್ಬರು ಮಂತ್ರಿಗಳೇ ಒಪ್ಪಿದ್ದಾರೆ. ಬೇಕಾದರೆ ರಿಕಾರ್ಡು ತೆಗೆದು ನೋಡಬಹುದು. Two Ministers have admitted, including the Chief Minister, that they have been influenced by members of this House—belonging to Congress as well as non-Congress parties—and therefore, orders had to be revised ; it is something like that. It is on record. ಆದ್ದರಿಂದ ಹೀಗೆ ಸಮಯ ಸಂದರ್ಭ ಬರುವುದರಿಂದ ಸರ್ಕಾರದವರು ಈ ತರಹದಲ್ಲಿ ಅಪೀಲು ತೀರ್ಮಾನಮಾಡುವ ಅಧಿಕಾರ ಹೊಂದಿರಬಾರದು.

ಇನ್ನೊಂದು ವಿಷಯ. Miscarriage of justice and law point ಇರುವಾಗ ಸರ್ಕಾರಕ್ಕೆ ಅಪೀಲು ಹೋಗಬೇಕೆಂದು ಈ ಮಸೂದೆಯಲ್ಲಿದೆ. ಆದರೆ miscarriage of justice ಎಂದು ಹೇಳುವವರು ಯಾರು? ಅಂಥ ಪಾಯಿಂಟ್ ಬಂದರೆ ದೇಶದಲ್ಲಿರುವ ಹೈಯೆಸ್ಟ್ ಕೋರ್ಟಿಗೆ ಹೋಗಬೇಕು. Miscarriage of justice ಮತ್ತು ಲಾ ಪಾಯಿಂಟ್ ವಿಚಾರದಲ್ಲಿ ಅಪೀಲು ಸರ್ಕಾರಕ್ಕೆ ಬಾರದು. ಏಕೆಂದರೆ, eminent lawyers like Mr. Manjappa may be in the ministry today, but he may not be there always. Besides there is no guarantee that only lawyers will be returned to this House. The holder of scales and the tiller of the soil also will be elected and some of them become ministers. What such laymen know about law points ?

ಈ ದಿವಸವಿರುವ ಕಾನೂನಿನಿಂದ ಸಾಮಾನ್ಯವಾಗಿ ಜನರಿಗೆ ತೊಂದರೆ ಕಾಣುತ್ತಿದೆ. ಹೀಗೆ ಯಾವ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿದರೂ ಸರ್ಕಾರಕ್ಕೆ ಅಪೆಲೇಟ್ ಅಧಿಕಾರ ವಿರಬಾರದೆಂಬುದು ಸ್ಪಷ್ಟವಾಗಿ ಕಾಣುತ್ತದೆ. ಸರ್ಕಾರದವರು ನಿಷ್ಠೂರಕ್ಕೆ ಗುರಿಯಾಗಬಾರದು. ಆದ್ದರಿಂದ ಶ್ರೀ ಇಮಾಂರವರು ಹೇಳುವುದು ಬಹಳ ಸೂಕ್ತ. ಈಗಿರುವ ಅಪೀಲು ಕೇಳುವ ಅಧಿಕಾರ ಸರ್ಕಾರಕ್ಕಿರಬಾರದು. ರೆವೆನ್ಯೂ ಕಮೀಷನರ ಆರ್ಡರಿನಮೇಲೆ ಸರ್ಕಾರಕ್ಕೆ ಅಪೀಲು ತಿರುಗಿ ಬಂದರೆ ಕಷ್ಟ, ದಾಕ್ಷಿಣ್ಯ, ನಿಷ್ಠೂರ, ಬಹಳ ನಿಧಾನವಾಗುತ್ತದೆ. ಹಿಂದಿನ ಸರ್ಕಾರದವರು ಮಾಡಿದ ತೀರ್ಮಾನಗಳು ಕೆಲವು ಏಳೆಂಟು ವರ್ಷಗಳಿಂದ ಪುನರ್ವಿಮರ್ಶೆಯಾಗುವುದರಲ್ಲಿವೆ. ಹೀಗೆ ಕಾಲಹರಣವಾದರೆ ಜನರಿಗೆ ತೊಂದರೆ, ಸರ್ಕಾರಕ್ಕೆ ಕೆಟ್ಟ ಹೆಸರು ಬರುತ್ತದೆ. ಈ ಎಲ್ಲಾ ದೃಷ್ಟಿಯಿಂದ ಒಂದು ಬೋರ್ಡು ಅಥವಾ ಟ್ರಿಬ್ಯೂನಲ್ ಸಂಸ್ಥಾನದಲ್ಲಿರುವುದು ಅಗತ್ಯ. ಇದಕ್ಕೆ ಶ್ರೀ ಚೆನ್ನಬಸಪ್ಪನವರು ಹೇಳಿದಹಾಗೆ, ಖರ್ಚು ಕಡಮೆಯಾಗಬೇಕೆಂದರೆ ಯಾರಾದರೂ ಒಬ್ಬರನ್ನು ಮಾತ್ರ ನೇಮಿಸಿ. ಖರ್ಚು ಹೆಚ್ಚಾದರೂ ನಿರ್ದಿಷ್ಟವಾದ ಆಫೀಸು, ಸಿಬ್ಬಂದಿ ಇವೆಲ್ಲಾ ಬೇಕು. ಅವರಿಗೆ ನಿರ್ದಿಷ್ಟವಾದ ಕೆಲಸವನ್ನು ಗೊತ್ತು ಮಾಡಿದ ಮೇಲೆ ಅದನ್ನು ನಿರ್ಘಟ್ಟವಾಗಿ ನೆರವೇರಿಸಲು ತಕ್ಕ ಸ್ಥಾನಮಾನ ಕೊಡಲೇಬೇಕಾಗುತ್ತದೆ. ಅವರು ಇಂಥ ಕೆಲಸಮಾಡಲು ಸಮರ್ಥರು ಎಂದು ನಿರ್ಧರಿಸಿದ ಮೇಲೆ ಅವರು ಕೊಟ್ಟತೀರ್ಪಿನ ಮೇಲೆ ಅಪೀಲು ಸರ್ಕಾರಕ್ಕೆ ಬರಬಾರದು. ಈ ಅಂಶಗಳನ್ನೆಲ್ಲ ಕೂಲಂ

ಕಷವಾಗಿ ಪರಿಶೀಲಿಸಿ ಈ ಮಸೂದೆಯಲ್ಲಿ ಬದಲಾವಣೆ ಮಾಡುವುದು ಅಗತ್ಯ. ಆದುದರಿಂದ ನಾನು ಸರ್ಕಾರದವರಿಗೆ ಸಲಹೆ ಮಾಡುವುದೇನೆಂದರೆ ದಯವಿಟ್ಟು ಈ ಮಸೂದೆಯನ್ನು pursue ಮಾಡಬೇಡಿ, ಇದನ್ನು ಸದ್ಯಕ್ಕೆ ಬಿಟ್ಟು ಬಿಡಿ. ಈ ವಿಚಾರದಲ್ಲಿ ಹಲವಾರು ಮಾನ್ಯ ಸಚಿವರು ಸೂಚಿಸಿರುವ ಸಲಹೆಗಳನ್ನೆಲ್ಲಾ ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲಿಸಿ ಇನ್ನೊಂದು ಸಾರಿ ಇದರಲ್ಲಿ ಯಾವ ವಿಷಯಾದ ಲೋಪದೋಷಗಳಿಗೂ ಅವಕಾಶವಿಲ್ಲದ ರೀತಿಯಲ್ಲಿ ಇದನ್ನು ತರುವುದು ಒಳ್ಳೆಯದು. ಮಂತ್ರಿ ಮಂಡಲದಲ್ಲಿ ನೀವೇ ಶಾಶ್ವತವಾಗಿ ಇರತಕ್ಕದು ಎಂಬ ನಿಯಮವಿಲ್ಲ. ಐದು ವರ್ಷಕ್ಕೆ ಒಂದು ಬಾರಿ ಇದರಲ್ಲಿ ಬದಲಾವಣೆ ಆಗುತ್ತಿರುತ್ತದೆ. ಮದರಾಸು ಸಂಸ್ಥಾನದಲ್ಲಿ 1803ರಲ್ಲಿದ್ದ ಕಾನೂನು ಸಹ ಈ ದಿನವೂ ಜಾರಿಯಲ್ಲಿದೆ ಎಂದು ಈಗ ತಾನೇ ಶ್ರೀ ಎಂ. ಪಿ. ರಾಮರಾಯರು ಹೇಳಿರುತ್ತಾರೆ. ಹೀಗೆ ಒಂದು ಕಾನೂನು ಆಗಾಗ ಬದಲಾವಣೆ ಆಗದಿರಬೇಕಾದರೆ ಅದರ ಮೂಲ ಭೂತ ವಿಚಾರಗಳು ಬಹಳ ವರ್ಷಗಳವರೆಗೆ ಬದಲಾಯಿಸದಂತೆ ಇರಬೇಕು. ಇದರ ಉದ್ದೇಶ, ಶ್ರೀ ಮಹಮದ್ ಇಮಾಂರವರು ಹೇಳಿದ ಹಾಗೆ, ಜನರಿಗೆ ಅನ್ಯಾಯವಾಗಬಾರದು, ಅವರಿಗೆ ಬೇಗ ಪರಿಹಾರ ದೊರಕಬೇಕು, ಖರ್ಚು ಕಡಮೆ ಆಗಬೇಕು. ಈ ಬಗ್ಗೆ ಯಾವ ರೀತಿ ವ್ಯವಸ್ಥೆ ಉತ್ತಮ ಎಂಬುದನ್ನು ಪರಿಶೀಲನೆ ಮಾಡಿ, ತಕ್ಕಮಾರ್ಪಾಡು ಮಾಡಿ ಹೊಸದಾಗಿ ಒಂದು ಮಸೂದೆ ತರುವುದು ಸೂಕ್ತವೆಂದು ನಾನು ಸಲಹೆಮಾಡುತ್ತೇನೆ.

Sri B. P. NAGARAJA MURTHY (Malavalli).—Sir, the idea of constituting a Revenue Board is really commendable and I congratulate the Government for the attempt that they have made to constitute this Board. But I regret to say that the constitution of the Board and the functions of the Board and the exercise of the powers of the Board, as envisaged in the present Bill, are imperfect and impracticable. Unless the Bill is redrafted in the light of the observations made by a number of Hon'ble Members of this House, it is not wise to press this Bill in this session itself. After all, the reasons and the principles that guide the other Governments where such Boards are in existence are decentralisation of power and giving relief to the Government to devote their precious time for some important work like laying down policies and other things and to ensure better efficiency, better administration and speedy disposal of justice. As the Hon'ble Member Sri H. K. Veeranna Gowdh pointed out, in a party-Government it is better if the party-Government—let it be Congress or P. S. P. or Communist—is divested of judicial or quasi-judicial powers as far as possible, because naturally people owing allegiance to other parties look with grave suspicion whenever a judicial matter is pending before that Government; and the minister owing allegiance to some other party may in all probability be influenced by any consideration. After the attainment of independence, of course without imputing any motives to any minister, our experience in the disposal of revenue cases is not pleasant. I am quite aware of some revenue cases where the disposal did not take place for years together and one case had not been disposed of until his office was terminated and the lawyers were appointed not on legal merit or acumen they had but on the influence or relation they had with the minister concerned. So, if this is the state of affairs, the present constitution of the Board will not ensure speedy disposal of justice, but, on the other hand, it will result in delay of justice which amounts to justice denied, and I fear the parties may not live to see the result of their cases. Because, the executive officers who are members of the Board, in addition to the heavy work that they have already, will not be able to dispose of matters entrusted to them as early as possible; and even the number of members of this Board is not limited. In addition to the three officers in the State it is stated 'such other officers, if any, as the State Government may . . .' It is always dangerous to put an indefinite number like that. Because if the Government wants to accommodate any officer in whom they are interested they may increase it to any indefinite number. It will not give relief to the Government to devote their time for better purposes, because clause 6 of the Bill will give the powers of revision to the State Government. In clause 6 it is said—

> "The State Government may at any time call for the records of any case which has been decided by the Board."

Even the period of limitation is not fixed here. The Government, if they mind or if they want to hit hard against any individual, may rake up the question one hundred years after. So, if the Government pursue this present

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Bill to constitute the Revenue Board, I think it may not cater to the wishes of the country. I therefore appeal to the Government to withdraw this Bill and to redraft the Bill once again in the light of the observations made by this House and introduce it in the next session.

SRI M. PALANIYAPPAN (Ulsoor).—I understand that the Minister got the Bill drafted with the best of intentions, namely, that appeals should be disposed of as early as possible. We are now in a period of democracy where the ministers are partly responsible to this House and partly to the people. As such it is but natural that the minister should have direct control and power in disposing of appeals. It is not necessary to attribute motives to the minister that he is being influenced. Ministers are there to do justice to the people in a quick manner and in the shortest period possible.

As the Bill stands, the Board has got powers to hear appeals against the orders of the Deputy Commissioner and other officers. But it disallows appeals now preferred before the Revenue Commissioner and other officers. We can pass the legislation stating that appeals heard by the Revenue Commissioner or such other officer may not be reviewed and that no further appeal lies above him. But we see on one side the same Revenue Commissioner, the Muzrai Commissioner and the Local Self-Government Commissioner and other officers are empowered to hear appeals. That means the appeal is thrown again into the hands of the officials. Officials will not take the view that the Ministers will take, because the Ministers know the difficulties of the people and are directly responsible to the people. Further, the work will not be minimised. Again, all the appeals heard by the Revenue Commissioner will again come up to the Minister for further hearing. So, if we accept the constitution of the Board as stated here, it will not be minimising the work of the Minister. So I would suggest that a tribunal may be appointed where none of these officials is a member and against the orders passed by the Revenue Commissioner this tribunal will have the powers of appeal and the Government may have the powers of revision within certain prescribed period and dispose of cases of a particular nature. So, I strongly feel that the constitution of this Board will further create chaos in the administration, because we see that the other States are now contemplating to abolish the Revenue Board that has been constituted. With these few words I strongly feel that the constitution of the Revenue Board as per the provisions of this Bill will be more detrimental to the people than beneficial to them.

SRI IJARI SIRASAPPA (Harapanhalli).—I have heard the deliberations that are going on in this House regarding the Bill to constitute the Revenue Board. I quite understand that there is no complete opposition for the constitution of a Revenue Board in this State. As I could follow from the speeches made by Hon'ble Members here, the difficulty is about the nature of the constitution of the Board and in respect of the powers of appeal retained by the Government. Yesterday my Hon'ble friend Sri Rama Rao was referring to the Board of Revenue functioning for about 150 years in Madras very efficiently and that there was nothing wrong against that Board to-day. Again mention was made about the contemplated abolition of the Board of Revenue. In this connection, I would like to inform this House that even though the Madras Government contemplate the abolition of the Revenue Board they want to create some agency within the State and ask one of the members to go and look after the appeals that are to be heard against the orders passed by the District Heads.

Much was said about clause 3 which speaks of the constitution of the Board. Briefly I would like to put before this House the practice that is going on in Madras. Some departments in which revenues are involved, titles and disputes over the rights of people are involved, revenue yielding departments such as Excise, etc. and the department

of prohibition come under the jurisdiction of the Board of Revenue in Madras. All these subjects are dealt with by the Members of the Board of Revenue. There are only three members unlike the number suggested here. The First and Second and Third Members of the Board of Revenue will hear appeals against the orders passed by District Heads in the departments with which they are concerned. But in this Bill you are making them dual officers, retaining their powers as the Heads of the Departments concerned and at the same time making them members of the Board. That is a very embarrassing aspect. Instead of that you can allocate some of the revenue yielding departments to the jurisdiction of the Revenue Board here and then ask them to sit in judgment over the orders passed by District Heads.

Another important factor in Madras is that, in the departments where revenues are not involved, on appeals final orders are pa sed by departmental Heads, as for instance in matters relating to Co-operation, Religious Endowments, Motor Transport, etc. Simi larly you can think of having seniormost revenue officers as members of the Revenue Board here and give them some departments in which they can very easily go into details, hear the parties either by themselves or through legal advisers and then decide finally.

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Then, in Madras there is no appeal to Government against the orders passed by the Revenue Board. Only when there is miscarriage of justice the Government can interfere and say that they can revise the orders passed by the Board of Revenue. Some such measure has also to be adopted in our State. The ultimate authority to decide any dispute in the State must be the Government as we all can see. To save the time of the Hon'ble Minister, once decisions are taken by the Board of Revenue that is to be constituted under this Bill, the Minister need not hear the parties. If there is any deviation of law, if there is any legal point and if there is any miscarriage of justice, Government, could interfere and reverse, or revise the orders passed by the Board of Revenue.

One other aspect of this question was referred to by some Hon'ble Members. They said that the Heads of Departments are able to take a dispassionate view and their impartial judgments could be relied upon as hitherto and people say that the present practice is suited to our State. In this connection I would like to inform the House that nobody has questioned the impartiality of the Heads of Departments ; nobody has questioned the ability of the Heads of Departments. This Bill is now put forth before this House in order to see that the cases are disposed of speedily and justice will be available not only quickly but also cheaply. People will find it easy to get their disputes settled very quickly. The sense of the House is on the whole in favour of the constitution of a Board of Revenue as contemplated in the Bill ; you may call it a Board or a tribunal. Anyhow a Board of this type is considered desirable. If the Bill is to be referred to a Select Committee it would be possible to gather public opinion by the Select Committee, and perhaps with such slight modifications as may be suggested in the Select Committee, the Bill would be acceptable to the House and such a Board would also serve a very useful purpose. I request Government therefore to kindly consider some of the suggestions put forward by Hon'ble Members.

*Sri Mulka GOVINDA REDDY (Chitaldrug). —Mr. Speaker, Sir, while I am in agreement with the principle underlying the Bill that is before us, that is, the Mysore Board of Revenue Bill 1954, I am not in agreement with some of the provisions that are included in this Bill. It is true, Sir, after the advent of freedom the volume of work is more at the Governmental level and in the districts the work has increased enormously ; not only the volume of work but the responsibilities of the Government are enormous and especially when we are politically in a welfare State that aims at the welfare of the people, it is but right that the responsibilities of the Ministry should

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be more and they will have to attend to these responsibilities primarily.

Sir, as some Hon'ble Members have already expressed, it is likely that in a party Government there would be room for some sort of influence or yielding to some sort of pressure. It is but right that the Government should divest themselves of such powers and there will be no room for anyone to point his finger at the Minister for the way in which he conducted himself while disposing of judicial or quasi-judicial matters. When it is conceded that the main responsibility of the Government is to lay down policies and to see that they are executed properly and when it is cenceded that they should not have anything to do with judicial and quasi-judicial matters, it is but right that a tribunal or a Board is constituted to dispose of such appeals or revision petitions that used to come up before the Government till today. The constitution of the Board as has been adumbrated in this Bill is not satisfactory. As some members have already pointed out, Sir, the officers who are going to constitute the Revenue Board are already over-burdened with work. The volume of work that has been and is being carried on by them is so much that they are not in a position to attend to their normal duties. When such is the case, if they are asked to sit as a Board to hear appeals that may come before them, it may not be possible for them to meet at an agreed time and dispose of appeals or petitions as quickly as they are expected to do.

Further, Sir, all these days, we had the facility of appealing against the orders of the Deputy Commissioners to the Revenue Commissioner and against the orders of the Revenue Commissioner, to the Government. Such an opportunity will be denied by constituting this Board with Members as mentioned in this Bill. As some members have already pointed out, Sir, it will be desirable only if an independent Board is constituted solely and exclusively for the purpose of hearing appeals or revision petitions and disposing them of, because we can expect fairplay and justice from such a Board and we can expect also quick and speedy justice from such a Board.

Again, Sir, under section 6, though appeals may not be entertained, revision petitions are going to be entertained so much so, the way in which they try to divest themselves of their responsibilities will not bring them any relief from heavy volume of work, but on the other hand, their work will increase and will not diminish. In my opinion, the orders of the Board should be final. If there is any appeal or revision, it should not lie to the Government. If there is any miscarriage of justice or anything that has been decided contrary to law, the highest court in the land, the High Court will be there to decide such issues when the matter is referred to the High Court. Hence, Sir, I strongly object that the Government should have any revisional powers over the decisions of the Board or tribunal and I strongly suggest that the Board or tribunal that is going to be constituted should be composed of such members who are exclusively and solely meant for carrying on the work of this Board. I have finished, Sir.

Sri Kadidal MANJAPPA.—Sir, I have very carefully followed the debate. Several Hon'ble Members have given valuable suggestions. Arguments were advanced in favour of the retention of the present practice. They have said that the existing system is working very satisfactorily and there is no need for a change. Some of the Hon'ble Members have dealt with some of the provisions of the Bill, particularly clauses that relate to the constitution of the Board, clause 6. References were made to the Bombay Appellate Tribunal and the Madras Revenue Board.

Sir, as everybody in this House knows, there is some difference between the state of affairs obtaining in Bombay and in Mysore. Similarly, there is difference between the revenue administration in Mysore and Madras. In Madras there is no Land Revenue Code. Here in Mysore, mostly we are governed by the provisions of the Land Revenue Code in regard to land revenue

matters. The Land Revenue Code not only deals with administrative matters, but also deals with matters which pertain to the rights of individuals. An officer of the Revenue Department gives decisions not only on disciplinary matters, but also on other administrative matters and matters which relate to the rights of individuals in the State. Therefore there is a lot of difference between the revenue administration obtaining in Madras and that which is prevailing in Mysore. That is a point which has to be understood by Hon'ble Members. In Bombay there is an Act known as the Bombay Appellate Tribunal Act of 1939, if I remember correctly. In this Act the powers of the tribunal have been well-defined. Only certain appellate powers of the Government have been assigned to the tribunal and the decisions of the tribunal are made final. The position is quite clear. For instance in the schedule appended to that enactment it is mentioned like this :

" Appeals or revisions which lie to the Tribunal under Rule 2 of Schedule A to the Act.

Appeals in revenue cases made under section 13 of the Act.

Appeals in revenue cases made under section 28 of the Act.

Revision of decisions in revenue cases under section 79 of the Act.

Revision of the Collector's orders in revenue cases under sections 8 and 12 of the Act.

Appeals in revenue cases under section 60 of the Act.

Appeals and revision in revenue cases under section 204 and 211 of the Code.

Appeals in revenue cases under section 20 (2) of the Act.

Revision of decisions in revenue cases under section 4 of the Madras Act 1887 (Bombay VI of 1887) read with section 79 of the Bombay Hereditary Offices Act, 1874 (Bombay III of 1874).

Appeals and revision in revenue cases specified against the Bombay Land Revenue Code, 1879 read with section 33 of the Gujarat Talukdars Act, 1888 (Bombay VI of 1888).

Revision in revenue cases under section 47 of the Act and appeals and revisions under Government Notification, Revenue Department, No. 1191, dated 5th February 1918.

Revision in revenue cases under sections 18 and 22 of the Act.

Appeals and revision in revenue cases under section 26 of the Act.

Sir, before deciding to introduce this Bill, I have pondered over the problem very deeply. It is not as though I have not considered all the aspects which were referred to by the several Hon'ble Members. I have considered all the aspects and the *pros* and *cons*. At first thought it occurred to me that a Tribunal may be constituted on the model of the Bombay Appellate Tribunal. But the cost involved is much. A tribunal should consist of atleast two or three members. A suggestion was made to the effect that a Tribunal may have a single person; I will come to that aspect later on. So, Sir, I thought that the Tribunal was a costly machine and then I thought of a Revenue Board on the model of the Madras Board of Revenue.

Sir, in Madras, three senior officers are appointed as members of the Revenue Board. In addition to their function as judges, they have got other functions too. Some Hon'ble Members are under the impression that their sole occupation is to decide only revenue cases; it is not so. I have enquired and I am definite that they have got other functions. They are all touring officers. Some Hon'ble Members said that there would be delay in the disposal of cases that would come before the Board because it consists of touring officers. I do not think there would be delay.

Mr. SPEAKER.—As it is envisaged to be constituted.

Sri Kadidal MANJAPPA.—Yes; as envisaged in the Bill, though there would be three or four officers, there will not be any delay in the disposing of cases because two of them will sit continuously for about a week or two

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in the month and dispose of the cases. One or t o members can go on tour and inspect offices which are under the administration of the other members. This arrangement would work well. . .

SRI K. PATTABHIRAMAN (Kolar).—A little clarification, Sir. Somehow, I am not able to follow your arguments just now. If one of the officer is attending to the work of the Board of Revenue for ten days in the month, the work of inspection of his department would be attended to by other officers : is it what you suggest ?

SRI KADIDAL MANJAPPA.—If there are three members, two members will attend to the work in connection with the disposal of appeals and the other member will attend to the work of these two officers; *i.e.*, inspection work.

SRI A. BHEEMAPPA NAIK (Molakalmuru).—Is there an instance of this kind in the whole of the world, Sir ?

V. M. MASCARENHAS (St. John's Hill).—You argue thereby that to-day for ten days in a month these officers will have no work and the moment this Bill is passed, they will be entrusted with this work.

SRI KADIDAL MANJAPPA.— Sir, I have discussed this matter threadbare with the officers who are going to be members of this Board and they are of the view that the Board is going to function very satisf ctorily.

SRI K. PATTABHIRAMAN.—I want you to consider the practical difficulty. Take a practical proposition Here is the Revenue Commissioner who is sitting at Bangalore for disposing of the cases. Do you suggest that the Sales-tax commissioner or the Excise Commissioner shall go on tour and inspect the offices pertaining to the Revenue Department ? Have you really appreciated all the implications of this suggestion ?

SRI KADIDAL MANJAPPA.—Yes. Sir, as it is, the Revenue Commissioner, individually, hears appeals against the decision of the Deputy Commissioner and passes judgments on revenue matters. So also the Excise Commissioner and the Commissioner for Local Self-Government. We can make arrangements whereby the other officer can inspect the other offices. There is on difficulty at all.

SRI K. PATTABHIRAMAN.—Please appreciate my difficulty. The Commissioner is at Bangalore for disposal of cases for ten days in the month ; granted. Is it the suggestion that during these ten days, the Excise Commissioner or the Sales-tax Commissioner shall be on tour and inspect the offices of the Revenue Department which otherwise ought to have been inspected by the Revenue Commissioner ?

SRI KADIDAL MANJAPPA.—My suggestion is, they can sit for ten days for disposal of app als and then they will find time for tour. If need be, in some extraordinary cases, one officer can inspect the offices of the other fficer if rules permit.

SRI K. PATTABHIRAMAN.—I am glad, you have modified your suggestion.

SRI KADIDAL MANJAPPA.—There is nothing wrong, in extraordinary cases, to authorise some officer to inspect or look after the work of other offieers. Then, Sir, it was said that there would be friction between the members in disposing of cases.

SRI P. R. RAMAIYA (Basavangudi).—I want one clarification. In the Statement of Objects and Reasons it is stated : "There is at present no statutory body like the Board of Revenue in the State with powers to exercise unified control. . ." What is meant by 'unified control' Sir ?

SRI KADIDAL MANJAPPA.—'Unified control' is 'unified control'. (*Laughter*) I do not think it can be better explained than by those phrases.

SRI P. R. RAMAIYA.—What I want to know is, just now a question arose whether one of the members of the Board would inspect the offices of the department which belong to another member as Head of the Department.

SRI KADIDAL MANJAPPA.—In extraordinary circumstances, I said, he can attend to the work belonging to the other officer. In Madras it is happening ; when one of the members of the Board is touring, he attends to the work of all the departments belonging to the Board.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—ಅಲ್ಲಿ ಕಮೊಷನರಿದ್ದಾರೆಯೆ ?

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಇಲ್ಲ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ.—ಆದ್ದರಿಂದ ಅವರು ಆ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದಾರೆ.

ಶ್ರೀ ಎ. ವಿ. ನರಸಿಂಹರೆಡ್ಡಿ (ಬೆಂಗಳೂರು-ದಕ್ಷಿಣ).—ನಮ್ಮ ನಂಜನ್ಡಾನದಲ್ಲಿರುವ ರೆವೆನ್ಯೂ ಕಮಿಷನರ ಹುದ್ದೆ ಮತ್ತು ಎಕ್ಸೈಜು ಕಮಿಷನರ ಹುದ್ದೆ ಅಲ್ಲಿಲ್ಲ, ಕಲೆಕ್ಟರ ಮಾಡುವುದನ್ನು ಬೋರ್ಡು ಪರಿಶೀಲಿಸುವುದು ಎಂಬುದು ತಮ್ಮ ಗಮನಕೆ ಬಂದಿದೆಯೆ ?

Sri Kadidal MANJAPPA.—That I know. Sir, a suggestion was made that the Board or Tribunal should consist of judicial officers. Sir, according to the Constitution, the executive authority of the State vests with the Government. If any officer functions in his official capacity, he does so according to the authority delegated to him by the Government. So, in the Executive domain the Government must be supreme in judicial matters. I agree that the law courts should be supreme. As I already submitted, in our present administrative set-up, administrative matters are mixed up with other matters. I agree that in the case of judicial or quasi-judicial matters, there should be a Tribunal or a Board whose decision should be made final. But, in regard to administrative matters, I do not agree to the proposal that such matters should be decided by either Tribunal or Judicial officers.

Sri H. K. VEERANNA GOWDH.—But, you said, miscarriage of justice or law points ?

Sri Kadidal MANJAPPA.—I do not say that this Bill is perfect. The Bill may be referred to the Select Committee and at the stage of the Select Committee, suggestions may be examined and the Bill may be made perfect. Some members found fault with the provision relating to the revisional powers of the Government. Sir, I am looking at this Bill, not as a man who thinks that he is going to be a Revenue Minister for all time, I am looking at this Bill as an ordinary citizen. I have experience as a lawyer; I have experience as a Minister. In some cases, I think, the Government has got to interfere. Some Hon'ble Members said that in a Party Government, the men in authority are likely to be influenced by party considerations or political considerations. That applies to every Government or every Tribunal or every Board. It all depends upon the men who exercise powers in a particular capacity.

Sri S. SRINIVASA IYENGAR (T.-Narasipur).—It is not possible.

Sri Kadidal MANJAPPA.—I am of the view that, at least, in rare cases where injustice is being done, the Government should have power to intervene. I leave the matter to the House and the Select Committee; that is my suggestion as an ordinary citizen. My friend Sri Veeranna Gowdh said that there are instances where Government have been influenced. . . .

Sri H. K. VEERANNA GOWDH.—According to the admission of Government.

Sri Kadidal MANJAPPA.—. . . . in coming to certain decisions. So far as I am concerned, as Revenue Minister I have disposed of nearly 1,500 cases. I am prepared. . . .

Sri J. MOHAMED IMAM.—Personalities are to be avoided. We are not concerned with persons; we are concerned with Government.

Mr. SPEAKER.—The Leader of the Opposition must note that the Minister has to defend himself and make his position clear.

Sri J. MOHAMED IMAM.—We never attack him in personal capacity. He is representing the Government. So, there is no occasion here to defend oneself personally; there is no need also.

Sri Kadidal MANJAPPA.—I only say, if any Hon'ble Member has got the slightest suspicion that I have been influenced either on party consideration or any other consideration, I am prepared to discuss the matter with him and convince him. I can swear that I have satisfied my conscience.

2-30 P.M.

Sri J. MOHAMED IMAM.—We are not concerned with Sri Manjappa personally. So far as I am concerned, I can prove . . . .

Mr. SPEAKER.—The Hon'ble Member need not make any reference to persons n his statement.

Sri J. MOHAMED IMAM.—There must not be scope even, I say. For example at the time of elections some persons promise lands readily. Before my own eyes I have seen.

Mr. SPEAKER.—He can speak for himself.

Sri Kadidal MANJAPPA.—It was said that the decision of the Government was being influenced . . . .

Sri H. K. VEERANNA GOWDH.—Government themselves have admitted that on the floor of this House.

Sri Kadidal MANJAPPA.—I may go a step further and say that it is true that in some cases the party approaches the concerned Minister and requests him to decide the case in his favour in a particular way. In such cases . . . .

Sri H. K. VEERANNA GOWDH.—And Government have admitted that they have refused because of the influence.

Sri Kadidal MANJAPPA.—In such cases what I do is, I request the Chief Minister to transfer the case to some other Minister for disposal. That I have done in so many cases.

Sri L. SIDDAPPA (Chennagiri).—I was about to say that you are extra sensitive.

Sri Kadidal MANJAPPA.—However, we cannot prevent parties approaching the Government and telling us details of the cases.

Sri H. K. VEERANNA GOWDH.—Therefore, what I meant was that there should not be even such occasions for influences.

Sri Kadidal MANJAPPA.—Nobody said that the Minister is influenced. My own proposal is and the Hon'ble Members can realise that I am anxious to divest myself of my powers in regard to revenue appeals and revision petitions.

Sir, as I have said, with slight modifications the Bill may be made perfect. There is no need for eliciting public opinion as suggested by Sri J. Mohamed Imam.

Sri K. PATTABHIRAMAN.—Mr. Speaker, on a point of clarification. With reference to the clause wherein you have enhanced the court fees stamp payable on appeal and other petitions, I asked whether you were indirectly seeking to amend the Court Fees Act. I raised two questions for your kind consideration. Will you help me to some extent in regard to that ?

Sri Kadidal MANJAPPA.—The provisions relating to levy of court fees are not repugnant to the Constitution. Such a practice is prevailing in other States. And even in other enactments you can see such provisions. Therefore, Sir, I am sure that this Bill, after it comes back from the Select Committee, will receive the wholehearted support of the members of the House.

Mr. SPEAKER.—I will now put the motion. The question is :

"That the Mysore Board of Revenue Bill, 1954, be taken into consideration."

The motion was adopted.

Motion to refer.

Sri Kadidal MANJAPPA.—Sir, I beg to move.—

"That the Mysore Board of Revenue Bill, 1954, be referred to a Joint Select Committee of this House and the Legislative Council consisting of a total number of 12 members (8 from this House and 4 from the Legislative Council), that the concurrence of the Legislative Council be obtained therefor and that the following Members of this House shall be Members of the Joint Select Committee, namely—

Sriyuts.—

T. Mariappa.
A. V. Narasimha Reddy.
B. T. Kemparaj.
V. M. Mascarenhas.
B. Y. Neele Gowda.
M. Linganna.
B. Hutche Gowda.
L. Siddappa."

Mr. SPEAKER.—The question is.—

"That the Mysore Board of Revenue Bill, 1954, be referred to a Joint Select Committee of this

House and the Legislative Council consisting of a total number of 12 members (8 from this House and 4 from the Legislative Council), that the concurrence of the Legislative Council be obtained therefor and that the following Members of this House shall be Members of the Joint Select Committee namely—

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V. M. Mascarenhas.
B. Y. Neele Gowda.
M. Linganna.
B. Hutche Gowda.
L. Siddappa."

The motion was adopted.

MADRAS TENANTS AND RYOTS PROTECTION (MYSORE AMENDMENT) BILL, 1954.

Motion to consider.

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—Sir, I beg to move :

"That the Madras Tenants and Ryots Protection (Mysore Amendment) Bill, 1954 be taken into consideration."

It is a very simple measure. There is an Act in force in Bellary. It is known as the Madras Tenants and Ryots Protection Act, 1949. It expired on 7th October 1954. As the Legislature was not in session, we had to issue an Ordinance to extend the duration of the Act up to 7th October 1955. The present Bill is brought before the House to replace this Ordinance. There can be no controversy in regard to this Bill. I am sure it will receive the universal support of this House.

Mr. SPEAKER.—The question is :—

"That the Madras Tenants and Ryots Protection (Mysore Amendment) Bill, 1954 be taken into consideration.

The motion was adopted.

Mr. SPEAKER.—Clauses 2 and 3. The question is :—

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :—

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :—

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

Sri Kadidal MANJAPPA.—Sir, I beg to move :—

"That the Madras Tenants and Ryots Protection (Mysore Amendment) Bill, 1954, be passed."

Mr. SPEAKER.—Motion moved :—

"That the Madras Tenants and Ryots Protection (Mysore Amendment) Bill, 1954, be passed."

*Sri Mulka GOVINDA REDDY (Chitaldrug).—I am opposing this Bill. Time and again we have impressed upon the Government on the floor of this House that the Government should not resort to Ordinances whatever may be the merits of the cases. Last year also they tried to rule by Ordinances and the Government should have had forethought about these measures. They should have conducted a survey regarding Acts that are being administered in Bellary and when they are going to expire. All precautions they should take. Instead of that, they simply keep quiet and sleep over matters and on one fine morning when it is brought to their notice that such and such Act expires on such and such day, they issue Ordinances. This sort of